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JASON EDWARD THOMAS CARDIFF
10

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
13

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 vs.

17 JASON EDWARD THOMAS
18 CARDIFF,

19 Defendant.
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21
22
23
24

Case No. 5:23-cr-00021-JGB

**REPLY IN SUPPORT OF JASON
CARDIFF'S *EX PARTE*
APPLICATION FOR AN ORDER
RESTRAINING FURTHER
VIOLATIONS DEFENDANT'S
CONSTITUTIONAL RIGHT
AGAINST UNAUTHORIZED
DETENTION OR ARREST; TO
PRODUCE EXTRADITION FILES
AND RELATED
COMMUNICATIONS AND TO SET
EXPEDITED BRIEFING AND
HEARING SCHEDULE**

25
26 The thrust of Mr. Cardiff's Ex Parte Application is to prevent the Government
27 from further attempts to arrest Mr. Cardiff in violation of his Fourth Amendment
28 rights. The Government has been aware of the arrest of Mr. Cardiff since January 14,

1 2025 and is aware that Defendant contends that the prosecutors in this case directed
2 Mr. Cardiff's arrest, which interfered with and violated the Court's travel order
3 allowing Mr. Cardiff to be in Ireland. The Government prosecutors do not deny that
4 they authorized Garda to arrest Defendant when they knew, full well, that as of
5 January 14, 2025, he was authorized to be in Ireland. They do not deny that they sat
6 on a warrant for thirteen months and directed its execution two days after counsel
7 asked for an extension of time in Ireland to receive medical treatment. Their failure
8 to deny or defend their conduct all but constitutes an admission that they directed an
9 unauthorized arrest.

10 The Government could have cancelled the warrant, taken steps to handle this
11 matter and/or communicated *something* to Defendant's counsel representing that they
12 denied directing the arrest or would take steps to assure that further unauthorized
13 steps were not taken against Mr Cardiff. Instead, it appears that the prosecutors want
14 to delay this matter as possible.

15 Defendant respectfully submits that he should not be left wondering whether
16 the Government is going to again take matters into their own hands as this case
17 progresses.

18 Technical defects in a pleading should not be grounds for dismissal if the
19 pleadings sufficiently inform the opposing party of the claims against them.
20 *Hernandez v. City of El Monte*, 138 F.3d 393 (9th Cir. 1998). Thus, the Court should
21 reject the Government's argument that a separate document titled "Memorandum"
22 must be filed. The Ex Parte Application does specify the order requested, statement
23 of facts and points and authorities for consideration.
24

25 Defendant recognizes that the Government might need additional time to
26 address the issue of an injunction. However, the Court can proceed in an orderly
27 fashion—require production of the extradition file and set an expedited briefing and
28 hearing schedule.

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2 Dated: January 28, 2025
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4 By: /s/ Stephen R. Cochell

5 Stephen R. Cochell

6 Attorney for Defendant

7 JASON EDWARD THOMAS CARDIFF

8 **SERVICE LIST**

9 I HEREBY DECLARE THAT THE FOLLOWING COUNSEL HAVE BEEN
10 SERVED WITH THIS DEFENDANT JASON CARDIFF'S NOTICE OF MOTIO
11 AND MOTION TO SUPPRESS EVIDENCE THROUGH THE COURT'S ECF O
NEXT GEN ELECTRONIC FILING SYSTEM:

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